

United States Senate
WASHINGTON, DC 20510

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July 1, 2015

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington DC 20554

Dear Mr. Chairman:

We write to you extremely concerned about your proposal to close multiple agency field offices across the country. While we are pleased to hear that you have reduced your original proposal to shutter as many as 16 offices, we remain concerned about the adverse effects of closure of more than one third of total offices nationwide will have. The closure of these offices threatens your ability as an enforcement agency to prevent radio disruptions, while in our home state of New York, these disruptions can have major negative implications.

Radio frequency disruptions can cause significant problems for citizens throughout New York, and especially in New York City. Recent complains filed with the Federal Communications Commission have shown there to be at least 34 pirate radio stations operating on rooftops in Brooklyn and in the Bronx alone. Pirate radio, and the interference that comes with it, can cause substantial public safety issues. That interference prevents listeners in New York and New Jersey from getting news, information and entertainment from their favorite radio station. More importantly, when interference occurs during an emergency, millions of people may not hear Emergency Alert System (EAS) alerts from licensed stations. We are aware of at least one station that has asked to change its EAS monitoring assignment because of interference from unauthorized operators to New York Public Radio's WNYC.

Congress, through the FCC, has allocated radio stations in New York and across the country in a careful manner designed to avoid interference, but massive growth of pirate radio operations, particularly in New York City threatens to disrupt that careful distribution. Finally, pirate radio operations threaten legitimate businesses who are operating within the rules established by the FCC. While we recognize the FCC's efforts to address this issue, more needs to be done. We believe that this starts with recognizing that the closure of field offices will not be helpful to the overall goal of preventing these disruptions and ensuring public safety. We urge you to continue to use all possible enforcement tools to address this issue, and to devote what resources you can to help prevent these types of disruptions in New York. While we understand the FCC's resource challenges, we strongly believe preventing interference on radio frequencies is part of your central mission.

Thank you for your continued work to protect consumers nationwide and we look forward to working with you on this important issue.

Sincerely,



Charles E. Schumer
United States Senator



Kirsten Gillibrand
United States Senator



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 22, 2015

The Honorable Charles E. Schumer
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Schumer:

Thank you for your letter concerning the FCC's July 16th *Field Modernization Order* and its potential impact on radio spectrum interference issues. I believe that the Commission's final decision in this matter represents a fact-based, balanced approach to modernizing a 20-year-old field office structure that was out of step with current technology and budgetary limitations. Although it is never easy to close underused federal facilities or improve management in ways that eliminate long-held positions, the Commission's goal was to maximize the effectiveness of its operations to meet 21st Century needs and realities. With that in mind, we studied a broad range of potential reorganization options, reviewed concerns with stakeholders and modified our contractor's initial recommendations to ensure nationwide enforcement coverage. Importantly, our final decision ensures that the Commission's New York facility will be better designed to cope with the difficult and special problems in that region of the nation. Although we closed the underused Buffalo office, we have shifted staff and increased the overall size and engineering capabilities of our agent pool in New York City.

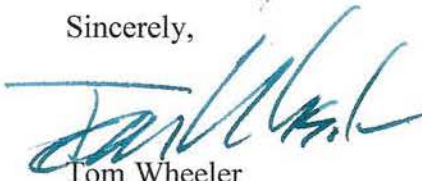
At this stage, the Commission has consulted with OMB and the House and Senate Appropriations Committees, and is initiating the first phase of the reorganization. Please be assured that as part of this implementation, we are maintaining a commitment to respond in a timely manner to interference issues anywhere in the nation, including responding to all public safety spectrum complaints within one day. As a follow-up to our *Field Modernization Order*, the Enforcement Bureau released an August 27th *Public Notice* (PN) to enhance procedures for public safety and industry interference complaints. The PN outlined an escalation process for interference complaints that will also improve complainants' ability to stay informed of the status of their complaint. This process will streamline the interference complaint intake and response and result in more effective enforcement for our highest priority interference complaints.

With regard to your specific concerns about pirate radio, the Commission has issued more than 100 pirate radio enforcement actions during Fiscal Year 2015 and we will continue to enforce our rules to protect industry stakeholders and consumers. We also are exploring ways to support the recommendations of our June 29th Pirate Radio Roundtable, including developing new educational tools, as well as working with Congress to strengthen Communications Act provisions to extend to those who aid and abet pirate operators. Given your significant interest in pirate enforcement, I would be pleased to arrange for you and/or your staff to participate in a

“ride along” with our staff to experience first-hand the work of our field agents and the resource-intensive challenges that they face in their daily work.

Our Field Modernization Order and the August 27th PN are part of a comprehensive approach toward efficient enforcement. We see the future of enforcement as an efficient, holistic, and systematic process supported by better overall management and modern IT systems. I look forward to continuing our efforts to improve the Commission’s enforcement practices and I am certain that they will yield successful, long-lasting results. Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

September 22, 2015

The Honorable Kirsten Gillibrand
United States Senate
478 Russell Senate Office Building
Washington, D.C. 20510

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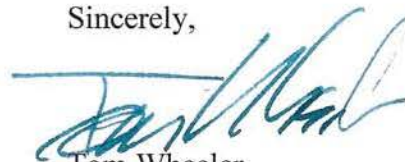
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